

EXPOSURE DRAFT

EXPOSURE DRAFT

1
2
3
4
5
6
7

Inserts for

Treasury Laws Amendment (Registries Modernisation and Other Measures) Bill 2018: Further amendments

Commencement information

Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. Schedule 1, items 1 to 412	A day or days to be fixed by Proclamation. However, if any of the provisions do not commence within the period of 24 months beginning on the day this Act receives the Royal Assent, they commence on the day after the end of that period.	
2. Schedule 1, item 413	The later of: (a) immediately after the commencement of <i>[tranche 1]</i> item 410 of Schedule 1; and (b) immediately after the commencement of item 4 of Schedule 1 to the <i>Treasury Laws Amendment (Corporate Collective Investment Vehicle) Act 2018</i> . However, the provision does not commence at all if the event mentioned in paragraph (b) does not occur.	
3. Schedule 1, item 414	The later of: (a) immediately after the commencement of <i>[tranche 1]</i> item 360 of Schedule 1; and (b) immediately after the commencement of item 4 of Schedule 1 to the <i>Treasury Laws Amendment (Corporate Collective Investment Vehicle) Act 2018</i> . However, the provision does not commence at all if the event mentioned in paragraph (b)	

1

EXPOSURE DRAFT

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
	does not occur.	
4. Schedule 1, items 415 to 417	<p>The later of:</p> <p>(a) immediately after the commencement of [tranche 1] item 414 of Schedule 1; and</p> <p>(b) immediately after the commencement of item 4 of Schedule 1 to the <i>Treasury Laws Amendment (Corporate Collective Investment Vehicle) Act 2018</i>.</p> <p>However, the provisions do not commence at all if the event mentioned in paragraph (b) does not occur.</p>	
5. Schedule 1, items 418 and 419	<p>The later of:</p> <p>(a) immediately after the commencement of item 37 of Schedule 1; and</p> <p>(b) immediately after the commencement of item 1 of Schedule 3 to the <i>Treasury Laws Amendment (Corporate Collective Investment Vehicle) Act 2018</i>.</p> <p>However, the provision does not commence at all if the event mentioned in paragraph (b) does not occur.</p>	
6. Schedule 1, items 420 and 421	<p>The latest of the following:</p> <p>(a) immediately after the commencement of item 2 of Schedule 1;</p> <p>(b) immediately after the commencement of item 15 of Schedule 1;</p> <p>(c) immediately after the commencement of item 36 of Schedule 1;</p> <p>(d) immediately after the commencement of item 1 of Schedule 3 to the <i>Treasury Laws Amendment (Corporate Collective Investment Vehicle) Act 2018</i>.</p> <p>However, the provisions do not commence at all if the event mentioned in paragraph (d) does not occur.</p>	
7. Schedule 1, item 422	<p>The latest of the following:</p> <p>(a) immediately after the commencement of item 2 of Schedule 1;</p>	

EXPOSURE DRAFT

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
	(b) immediately after the commencement of item 15 of Schedule 1; (c) immediately after the commencement of item 36 of Schedule 1; (d) immediately after the commencement of item 1 of Schedule 3 to the <i>Treasury Laws Amendment (Corporate Collective Investment Vehicle) Act 2018</i> . However, the provision does not commence at all if the event mentioned in paragraph (d) does not occur.	
8. Schedule 1, item 423	The later of: (a) immediately after the commencement of item 37 of Schedule 1; and (b) immediately after the commencement of item 1 of Schedule 3 to the <i>Treasury Laws Amendment (Corporate Collective Investment Vehicle) Act 2018</i> . However, the provision does not commence at all if the event mentioned in paragraph (b) does not occur.	
9. Schedule 1, items 424 to 594	A day or days to be fixed by Proclamation. However, if any of the provisions do not commence within the period of 24 months beginning on the day this Act receives the Royal Assent, they commence on the day after the end of that period.	

EXPOSURE DRAFT

Schedule 1—Amendments relating to the Registrar

Part 2—Other amendments

Australian Securities and Investments Commission Act 2001

1 At the end of subsection 127(2A)

Add:

; (h) a Registrar appointed under any of the following:

(i) section 6 of the *Commonwealth Registers Act 2018*;

(ii) section 1250 of the *Corporations Act 2001*;

(iii) section 211A of the *National Consumer Credit Protection Act 2009*;

(iv) section 62A of the *Business Names Registration Act 2011*.

Corporations Act 2001

2 Subsection 601AA(1)

Omit “ASIC”, substitute “the Registrar”.

3 After subsection 601AA(1)

Insert:

(1A) The application must meet any requirements of the data standards.

4 Subsection 601AA(3) (heading)

Omit “ASIC”, substitute “*The Registrar*”.

5 Subsection 601AA(3)

Omit “ASIC” (wherever occurring), substitute “the Registrar”.

6 Paragraphs 601AA(4)(a) and (b)

Omit “ASIC”, substitute “the Registrar”.

7 Subsection 601AA(4)

Omit “ASIC must”, substitute “the Registrar must”.

EXPOSURE DRAFT

8 Paragraph 601AA(4)(c)

Repeal the paragraph, substitute:

(c) make a record of the proposed deregistration; and

9 Paragraph 601AA(4)(d)

Omit “in the prescribed manner”.

10 Subsection 601AA(4A)

Omit “ASIC”, substitute “the Registrar”.

11 Subsection 601AA(5)

Omit “ASIC”, substitute “The Registrar”.

12 After subsection 601AA(5)

Insert:

(5A) The Registrar must refuse to deregister a company under this section if ASIC notifies the Registrar that ASIC objects to the deregistration.

13 Subsection 601AA(6)

Omit “ASIC” (first occurring), substitute “The Registrar”.

14 Subsection 601AA(7)

Omit “ASIC’s”, substitute “the Registrar’s”.

15 Section 601AB (heading)

Repeal the heading, substitute:

601AB Deregistration—initiated by the Registrar

16 Subsection 601AB(1) (heading)

Omit “ASIC”, substitute “*the Registrar*”.

17 Subsection 601AB(1)

Omit “ASIC may”, substitute “The Registrar may”.

18 Paragraph 601AB(1)(b)

After “documents”, insert “with ASIC or the Registrar”.

EXPOSURE DRAFT

1 **19 Paragraph 601AB(1)(c)**

2 Omit “ASIC”, substitute “the Registrar”.

3 **20 Subsections 601AB(1A) and (1B)**

4 Omit “ASIC”, substitute “The Registrar”.

5 **21 Subsection 601AB(2)**

6 Omit “ASIC” (first occurring), substitute “The Registrar”.

7 **22 Subsection 601AB(2)**

8 Omit “ASIC” (second occurring), substitute “the Registrar”.

9 **23 Paragraph 601AB(2)(b)**

10 After “lodged”, insert “with ASIC or the Registrar”.

11 **24 Subsection 601AB(3)**

12 Omit “ASIC” (first occurring), substitute “the Registrar”.

13 **25 Subsection 601AB(3)**

14 Omit “it must”, substitute “the Registrar must”.

15 **26 Subparagraph 601AB(3)(a)(iv)**

16 Repeal the subparagraph.

17 **27 After paragraph 601AB(3)(a)**

18 Insert:

19 (ab) make a record of the proposed deregistration; and

20 **28 Paragraph 601AB(3)(b)**

21 Omit “in the prescribed manner”.

22 **29 Subsection 601AB(3A)**

23 Omit “ASIC”, substitute “the Registrar”.

24 **30 Subsection 601AB(4)**

25 Omit “ASIC” (first occurring), substitute “The Registrar”.

26 **31 Subsection 601AB(4)**

27 Omit “ASIC” (second occurring), substitute “the Registrar”.

EXPOSURE DRAFT

1 **32 Subsection 601AB(5)**

2 Omit “ASIC”, substitute “The Registrar”.

3 **33 After subsection 601AB(5)**

4 Insert:

5 (5A) The Registrar must refuse to deregister a company under this
6 section if ASIC notifies the Registrar that ASIC objects to the
7 deregistration.

8 **34 Subsection 601AB(6)**

9 Omit “ASIC” (first occurring), substitute “The Registrar”.

10 **35 Subsection 601AB(7)**

11 Omit “ASIC’s”, substitute “the Registrar’s”.

12 **36 Subsection 601AC(1)**

13 Omit “(1) ASIC”, substitute “The Registrar”.

14 **37 Subsection 601AH(1) (heading)**

15 Omit “ASIC”, substitute “*the Registrar*”.

16 **38 Subsection 601AH(1)**

17 Omit “ASIC may”, substitute “The Registrar may”.

18 **39 Subsection 601AH(1)**

19 Omit “ASIC is”, substitute “the Registrar is”.

20 **40 After subsection 601AH(1)**

21 Insert:

22 (1AA) The Registrar:

23 (a) may reinstate the registration of a company if ASIC is
24 satisfied that the company should not have been deregistered;
25 and

26 (b) must reinstate the registration if ASIC directs the Registrar to
27 do so.

28 **41 Subsection 601AH(1A)**

29 Omit “ASIC”, substitute “The Registrar”.

EXPOSURE DRAFT

1 **42 Paragraph 601AH(1A)(a)**

2 Omit “ASIC”, substitute “the Registrar”.

3 **43 Subsection 601AH(2)**

4 Omit “ASIC”, substitute “the Registrar”.

5 **44 Paragraph 601AH(3)(a)**

6 Omit “ASIC”, substitute “the Registrar”.

7 **45 Paragraph 601AH(3)(a)**

8 After “subsection (1)”, insert “, (1AA)”.

9 **46 Subsection 601AH(4)**

10 Repeal the subsection, substitute:

11 *Registrar to publish notice of reinstatement*

12 (4) The Registrar must publish notice of a reinstatement.

13 **47 Subsection 601AH(4A)**

14 Omit “ASIC” (wherever occurring), substitute “the Registrar”.

15 **48 Subsection 601AH(5)**

16 Omit “ASIC” (first occurring), substitute “the Registrar”.

17 **49 Subsection 601AJ(1)**

18 Omit “ASIC”, substitute “the Registrar”.

19 **50 Subsection 601AJ(2)**

20 Omit “be in the prescribed form”, substitute “meet any requirements of
21 the data standards”.

22 **51 Section 601AK (heading)**

23 Omit “ASIC”, substitute “**The Registrar**”.

24 **52 Section 601AK**

25 Omit “ASIC” (first occurring), substitute “The Registrar”.

26 **53 Section 601AK**

27 Omit “ASIC” (second occurring), substitute “the Registrar”.

EXPOSURE DRAFT

1 **54 Section 601AL (heading)**

2 Omit “ASIC”, substitute “**The Registrar**”.

3 **55 Subsection 601AL(1)**

4 Omit “ASIC” (first occurring), substitute “The Registrar”.

5 **56 Paragraph 601AL(1)(a)**

6 Omit “ASIC”, substitute “the Registrar”.

7 **57 Subsection 601BC(1)**

8 Omit “ASIC”, substitute “the Registrar”.

9 **58 Subsections 601BC(2) to (4)**

10 Repeal the subsections, substitute:

11 (2) The application must meet any requirements of the data standards.

12 **59 Subsection 601BC(5)**

13 Omit “have the consents and agreements referred to in subsection (2)
14 when the application is lodged”, substitute “, when the application is
15 lodged, have any consents and agreements required by the data
16 standards in relation to applications under this section”.

17 **60 Subsections 601BC(6) to (9)**

18 Repeal the subsections.

19 **61 Section 601BD (heading)**

20 Omit “ASIC”, substitute “**The Registrar**”.

21 **62 Subsection 601BD(1)**

22 Omit “ASIC”, substitute “the Registrar”.

23 **63 Paragraph 601BD(1)(c)**

24 Repeal the paragraph, substitute:

25 (c) give the body a certificate of registration that meets any
26 requirements of the data standards.

27 **64 Subsection 601BD(2)**

28 Repeal the subsection, substitute:

EXPOSURE DRAFT

The Registrar must record registration

(2) The Registrar must make a record of the registration.

65 Subsection 601BJ(3)

Omit “ASIC”, substitute “the Registrar”.

66 Subsection 601BL(1)

Omit “(1)”.

67 Subsection 601BL(1)

Omit “ASIC must remove the body’s name from the appropriate register kept for the purposes of Division 1 or 2 of Part 5B.2.”.

68 Subsection 601BL(2)

Repeal the subsection.

69 Section 601CB

Repeal the section, substitute:

601CB Application for registration

(1) A registrable Australian body may lodge with the Registrar an application for registration under this Division.

(2) The application must meet any requirements of the data standards.

(3) The Registrar must, subject to this Part:

(a) grant the application and register the body under this Division by making a record of the body’s name; and

(b) allot to the body an ARBN distinct from the ARBN or ACN of each body corporate (other than the body) already registered as a company or registered body under this Act.

70 Subsection 601CC(1)

After “lodge”, insert “with the Registrar”.

71 Subsections 601CC(2) to (4)

Repeal the subsections, substitute:

EXPOSURE DRAFT

-
- 1 (2) If the Registrar has reasonable cause to believe that a registered
2 Australian body does not carry on business interstate, the Registrar
3 may give the body a notice that:
4 (a) is to that effect; and
5 (b) informs the body that, if no response showing cause to the
6 contrary is received within 1 month from the date of the
7 notice, the Registrar will publish notice with a view to
8 cancelling the body's registration.
- 9 (3) Unless the Registrar receives, within 1 month after the date of the
10 notice, a response to the effect that the body is still carrying on
11 business interstate, the Registrar may:
12 (a) give the body a notice informing the body that, at the end of
13 3 months after the date of the notice, the body's registration
14 will, unless cause to the contrary is shown, be cancelled; and
15 (b) publish the notice.
- 16 (4) At the end of the period specified in a notice given under
17 subsection (3), the Registrar:
18 (a) may, unless cause to the contrary has been shown, cancel the
19 body's registration; and
20 (b) if the registration is cancelled—must publish notice of the
21 cancellation.
- 22 (4A) A response by the body showing cause to the contrary for the
23 purposes of subsection (2) or (3) must meet any requirements of
24 the data standards.
- 25 (4B) However, if ASIC notifies the Registrar of its objection to the
26 cancellation, cause to the contrary is taken to have been shown for
27 the purposes of those subsections.

28 **72 Subsection 601CC(5)**

29 Omit “whose name has been struck off the register”, substitute “whose
30 registration has been cancelled under this section”.

31 **73 Subsection 601CC(6)**

32 Repeal the subsection.

33 **74 Subsections 601CC(7) to (9)**

34 Repeal the subsections, substitute:

EXPOSURE DRAFT

-
- 1 (7) If the Registrar is satisfied that a body's registration was cancelled
2 as a result of an error on the Registrar's part, the Registrar may
3 reinstate the body's registration. On reinstatement, the body is
4 taken never to have ceased to be registered under this Division.
- 5 (8) A person who is aggrieved by the cancellation of a body's
6 registration may, within 15 years after the cancellation, apply to the
7 Court for the registration to be reinstated.
- 8 (9) If, on an application under subsection (8), the Court is satisfied
9 that:
- 10 (a) at the time of the cancellation, the body was carrying on
11 business interstate; or
- 12 (b) it is otherwise just for the body's registration to be reinstated;
13 the Court may, by order:
- 14 (c) direct the body's registration to be reinstated; and
15 (d) give such directions, and make such provisions, as it thinks
16 just for placing the body and all other persons in the same
17 position, as nearly as practicable, as if the body's registration
18 had never been cancelled.

19 **75 Subsection 601CC(10)**

20 Omit "name is taken never to have been struck off", substitute
21 "registration is taken never to have been cancelled".

22 **76 Subsection 601CC(11)**

23 Repeal the subsection, substitute:

- 24 (11) If a body's registration is reinstated, the Registrar must publish
25 notice of that fact.

26 **77 Subsection 601CC(12)**

27 After "a document", insert "with ASIC or the Registrar".

28 **78 Section 601CDA**

29 Omit "with ASIC", substitute "with the Registrar".

30 **79 Paragraph 601CDA(b)**

31 After "ASIC", insert "or the Registrar".

EXPOSURE DRAFT

1 **80 Section 601CE**

2 Repeal the section, substitute:

3 **601CE Application for registration**

4 (1) A foreign company may lodge with the Registrar an application for
5 registration under this Division.

6 (2) The application must meet any requirements of the data standards.

7 (3) The Registrar must, subject to this Part:

8 (a) grant the application and register the foreign company under
9 this Division by making a record of the foreign company's
10 name; and

11 (b) allot to the foreign company an ARBN distinct from the
12 ARBN or ACN of each body corporate (other than the
13 company) already registered as a company or registered body
14 under this Act.

15 **81 Subsection 601CF(2)**

16 Omit "ASIC", substitute "The Registrar".

17 **82 Subsection 601CG(1)**

18 After "lodges", insert "with the Registrar".

19 **83 At the end of subsection 601CG(1)**

20 Add:

21 The lodgement must meet any requirements of the data standards.

22 **84 Subsection 601CG(2)**

23 Omit ", verified in writing in the prescribed form to be a true copy,".

24 **85 After subsection 601CG(2)**

25 Insert:

26 (2A) Lodgement of the copy must meet any requirements of the data
27 standards.

EXPOSURE DRAFT

86 Subsection 601CG(4)

Omit all the words after “lodge”, substitute “a statement by the local agent. The statement must meet any requirements of the data standards”.

87 Subsection 601CH(1)

After “lodge”, insert “with the Registrar”.

88 Subsection 601CK(1)

After “lodge”, insert “with the Registrar”.

89 Subsection 601CK(1)

Omit all the words after “origin”.

90 After subsection 601CK(1)

Insert:

(1A) Lodgement of the copies must meet any requirements of the data standards.

91 Subsection 601CK(3)

After “lodge” (wherever occurring), insert “with the Registrar”.

92 Subsections 601CK(5), (5A), (6) and (9)

After “lodge”, insert “with the Registrar”.

93 Subsection 601CK(9)

Omit “in the prescribed form”.

94 At the end of subsection 601CK(9)

Add:

The return must meet any requirements of the data standards.

95 Subsection 601CK(10)

Omit “be lodged”, substitute “meet any requirements of the data standards and be lodged with the Registrar”.

96 Subsection 601CL(1)

After “lodge”, insert “with the Registrar”.

EXPOSURE DRAFT

97 Subsection 601CL(2)

Omit “Where ASIC”, substitute “If the Registrar”.

98 Subsection 601CL(2)

Omit “ASIC must remove the foreign company’s name from the register”, substitute “the Registrar must cancel the foreign company’s registration”.

99 Subsections 601CL(3) to (5)

Repeal the subsections, substitute:

(3) If the Registrar has reasonable cause to believe that a registered foreign company does not carry on business in this jurisdiction, the Registrar may give the foreign company a notice that:

(a) is to that effect; and

(b) informs the foreign company that, if no response showing cause to the contrary is received within 1 month from the date of the notice, the Registrar will publish notice with a view to cancelling the foreign company’s registration.

(4) Unless the Registrar receives, within 1 month after the date of the notice, a response to the effect that the foreign company is still carrying on business in this jurisdiction, the Registrar may:

(a) give the foreign company a notice informing the foreign company that, at the end of 3 months after the date of the notice, the foreign company’s registration will, unless cause to the contrary is shown, be cancelled; and

(b) publish the notice.

(5) At the end of the period specified in a notice given under subsection (3), the Registrar:

(a) may, unless cause to the contrary has been shown, cancel the foreign company’s registration; and

(b) if the registration is cancelled—must publish notice of the cancellation.

(5A) A response by the foreign company showing cause to the contrary for the purposes of subsection (3) or (4) must meet any requirements of the data standards.

EXPOSURE DRAFT

1 (5B) However, if ASIC notifies the Registrar of its objection to the
2 cancellation, cause to the contrary is taken to have been shown for
3 the purposes of those subsections.

4 **100 Subsection 601CL(6)**

5 Omit “whose name has been struck off the register”, substitute “whose
6 registration has been cancelled under this section”.

7 **101 Subsection 601CL(7)**

8 Repeal the subsection.

9 **102 Subsections 601CL(8) to (10)**

10 Repeal the subsections, substitute:

11 (8) If the Registrar is satisfied that a foreign company’s registration
12 was cancelled as a result of an error on the Registrar’s part, the
13 Registrar may reinstate the foreign company’s registration. On
14 reinstatement, the foreign company is taken never to have ceased
15 to be registered under this Division.

16 (9) A person who is aggrieved by the cancellation of a foreign
17 company’s registration may, within 15 years after the cancellation,
18 apply to the Court for the registration to be reinstated.

19 (10) If, on an application under subsection (8), the Court is satisfied
20 that:

21 (a) at the time of the cancellation, the foreign company was
22 carrying on business interstate; or

23 (b) it is otherwise just for the foreign company’s registration to
24 be reinstated;

25 the Court may, by order:

26 (c) direct the foreign company’s registration to be reinstated; and

27 (d) give such directions, and make such provisions, as it thinks
28 just for placing the foreign company and all other persons in
29 the same position, as nearly as practicable, as if the foreign
30 company’s registration had never been cancelled.

31 **103 Subsection 601CL(11)**

32 Omit “name is taken never to have been struck off”, substitute
33 “registration is taken never to have been cancelled”.

EXPOSURE DRAFT

1 **104 Subsection 601CL(12)**

2 Repeal the subsection, substitute:

3 (12) If a foreign company's registration is reinstated, the Registrar must
4 publish notice of that fact.

5 **105 Subsection 601CL(13)**

6 After "a document", insert "with the Registrar".

7 **106 Paragraph 601CL(14)(a)**

8 After "lodged", insert "with the Registrar".

9 **107 Section 601CP (heading)**

10 Omit "ASIC", substitute "the Registrar".

11 **108 Section 601CP**

12 After "lodge", insert "with the Registrar".

13 **109 Section 601CTA**

14 Omit "with ASIC", substitute "with the Registrar".

15 **110 Paragraph 601CTA(b)**

16 After "ASIC", insert "or the Registrar".

17 **111 Subsection 601CT(2)**

18 After "lodge", insert "with the Registrar".

19 **112 At the end of subsection 601CT(2)**

20 Add:

21 The notice must meet any requirements of the data standards.

22 **113 Subsection 601CT(3)**

23 After "lodge", insert "with the Registrar".

24 **114 At the end of subsection 601CT(3)**

25 Add:

26 The notice must meet any requirements of the data standards.

EXPOSURE DRAFT

115 Subsection 601CT(4)

Omit “a notice, in the prescribed form,” substitute “with the Registrar a notice”.

116 At the end of subsection 601CT(4)

Add:

The notice must meet any requirements of the data standards.

117 Subsection 601CU(1)

Omit all the words after “name,” substitute “the Registrar must give the body a certificate of the body’s registration under that Division that meets any requirements of the data standards”.

118 Paragraph 601CV(1)(b)

After “lodged”, insert “with the Registrar”.

119 Subsection 601CV(1)

Omit “change, together with such documents (if any) as the regulations require.”, substitute “change. The notice must meet any requirements of the data standards.”.

120 Paragraph 601CX(2)(b)

Omit “ASIC”, substitute “the Registrar”.

121 At the end of subsection 601CX(4)

Add “with the Registrar”.

122 Paragraph 601CZC(1)(d)

Omit “ASIC”, substitute “the Registrar”.

123 Section 601CZC(2)

Omit “ASIC”, substitute “the Registrar”.

124 After subsection 601CZC(2)

Insert:

(2A) The notice must meet any requirements of the data standards.

EXPOSURE DRAFT

1 **125 Subsection 601DA(1)**

2 Omit “in the prescribed form with ASIC”, substitute “with the
3 Registrar”.

4 **126 After subsection 601DA(1)**

5 Insert:

6 (1A) The application must meet any requirements of the data standards.

7 **127 Subsection 601DA(2)**

8 Omit “ASIC” (wherever occurring), substitute “the Registrar”.

9 **128 Subsection 601DA(3)**

10 Omit “ASIC (first occurring)”, substitute “The Registrar”.

11 **129 Subsection 601DA(3)**

12 Omit “ASIC (second occurring)”, substitute “the Registrar”.

13 **130 At the end of section 601DA**

14 Add:

15 (4) A request under subsection (2) or (3) must meet any requirements
16 of the data standards.

17 **131 Paragraph 601DC(1)(b)**

18 Omit “on the Business Names Register”, substitute “under the *Business*
19 *Names Registration Act 2011*”.

20 **132 Subsections 601DC(3) and (4) (note)**

21 Omit “ASIC”, substitute “the Registrar”.

22 **133 Subsection 601DD(3)**

23 Omit “on the Business Names Register”, substitute “under the *Business*
24 *Names Registration Act 2011*”.

25 **134 Section 601DH (heading)**

26 Omit “ASIC”, substitute “the Registrar”.

27 **135 Subsection 601DH(1)**

28 Omit “ASIC”, substitute “the Registrar”.

EXPOSURE DRAFT

1 **136 After subsection 601DH(1)**

2 Insert:

3 (1AA) The notice must meet any requirements of the data standards.

4 **137 Subsection 601DH(2) (not including the notes)**

5 Omit “ASIC” (wherever occurring), substitute “the Registrar”.

6 **138 Subsection 601DH(2) (note 3)**

7 Omit “ASIC”, substitute “The Registrar”.

8 **139 Section 601DJ (heading)**

9 Omit “ASIC’s”, substitute “The Registrar’s”.

10 **140 Subsection 601DJ(1)**

11 Omit “ASIC”, substitute “The Registrar”.

12 **141 Subsection 601DJ(3)**

13 Omit “ASIC”, substitute “the Registrar”.

14 **142 Subsection 601DJ(4) (not including the note)**

15 Omit “ASIC”, substitute “the Registrar”.

16 **143 Subsection 601DJ(4) (note)**

17 Omit “ASIC”, substitute “The Registrar”.

18 **144 Subsection 601EB(3)**

19 Omit “ASIC must keep”, substitute “The Registrar must make”.

20 **145 Section 601EC (heading)**

21 After “ASIC”, insert “or the Registrar”.

22 **146 Section 601EC**

23 After “ASIC”, insert “or the Registrar”.

24 **147 Section 601FJ (heading)**

25 Omit “ASIC”, substitute “the Registrar”.

EXPOSURE DRAFT

1 **148 Subsection 601FJ(1)**

2 Omit “ASIC’s record of registration”, substitute “a record of
3 registration made or held by the Registrar”.

4 **149 Paragraphs 601FL(2)(a) and (c)**

5 Omit “ASIC”, substitute “the Registrar”.

6 **150 After subsection 601FL(2)**

7 Insert:

8 (2A) The notice must meet any requirements of the data standards.

9 **151 Paragraphs 601FM(2)(a) and (c)**

10 Omit “ASIC”, substitute “the Registrar”.

11 **152 After subsection 601FM(2)**

12 Insert:

13 (2A) The notice must meet any requirements of the data standards.

14 **153 Subsections 601FP(3)**

15 Omit “ASIC” (wherever occurring), substitute “the Registrar”.

16 **154 After subsection 601FP(3)**

17 Insert:

18 (3A) The notice must meet any requirements of the data standards.

19 **155 Subsection 601FP(4)**

20 Omit “ASIC”, substitute “the Registrar”.

21 **156 Subsection 601FQ(4)**

22 Omit “ASIC” (first occurring), substitute “the Registrar”.

23 **157 Subsection 601FQ(4)**

24 Omit “ASIC” (second occurring), substitute “The Registrar”.

25 **158 After subsection 601FQ(4)**

26 Insert:

27 (4A) The notice must meet any requirements of the data standards.

EXPOSURE DRAFT

1 **159 Subsection 601GC(2)**

2 Omit “ASIC”, substitute “the Registrar”.

3 **160 After subsection 601GC(2)**

4 Insert:

5 (2A) Lodgement of the copy must meet any requirements of the data
6 standards.

7 **161 After subsection 601GC(3)**

8 Insert:

9 (3A) The responsible entity must lodge with the Registrar a consolidated
10 copy of the scheme’s constitution if ASIC directs it to do so.

11 (3B) If the copy is lodged with the Registrar, the lodgement must meet
12 any requirements of the data standards.

13 **162 Subsection 601HE(3)**

14 After “ASIC”, insert “or, if ASIC so directs, with the Registrar”.

15 **163 At the end of section 601HE**

16 Add:

17 (4) If the copy is lodged with the Registrar, the lodgement must meet
18 any requirements of the data standards.

19 **164 Subsection 601HF(1)**

20 After “lodge”, insert “with ASIC or the Registrar”.

21 **165 After subsection 601HF(1)**

22 Insert:

23 (1A) If the copy is lodged with the Registrar, the lodgement must meet
24 any requirements of the data standards.

25 **166 Subsection 601HG(7)**

26 Omit “ASIC” (wherever occurring), substitute “the Registrar”.

27 **167 At the end of subsection 601HG(7)**

28 Add:

EXPOSURE DRAFT

1 The lodgement must meet any requirements of the data standards.

2 **168 Section 601HI**

3 Before “If”, insert “(1)”.

4 **169 Section 601HI**

5 Omit “ASIC” (first occurring), substitute “the Registrar”.

6 **170 Section 601HI**

7 Omit “ASIC” (second occurring), substitute “The Registrar”.

8 **171 Section 601HI**

9 Before “the change complies”, insert “ASIC is satisfied”.

10 **172 At the end of section 601HI**

11 Add:

12 (2) The request must meet any requirements of the data standards.

13 **173 Subsection 601KB(5)**

14 Omit “ASIC.”, substitute “the Registrar. The lodgement must meet any
15 requirements of the data standards.”.

16 **174 Subsection 601KE(3)**

17 Omit “ASIC.”, substitute “the Registrar. The notice must meet any
18 requirements of the data standards.”.

19 **175 Subsection 601NC(2)**

20 Omit “ASIC”, substitute “the Registrar”.

21 **176 After subsection 601NC(2)**

22 Insert:

23 (2A) The giving of the notice must meet any requirements of the data
24 standards.

25 **177 Subsection 601PA(3)**

26 Omit all the words after “proposed”, substitute “deregistration to the
27 Registrar and the responsible entity”.

EXPOSURE DRAFT

1 **178 After subsection 601PA(3)**

2 Insert:

3 (3A) The Registrar must make a record, of the proposed deregistration,
4 and make the notice available to the public.

5 (3B) Two months after the notice is made available, ASIC may
6 deregister the scheme.

7 **179 Subparagraph 601PB(1)(e)(ii)**

8 After “lodged”, insert “with ASIC or the Registrar”.

9 **180 Paragraph 601PB(2)(c)**

10 Repeal the paragraph, substitute:

11 (c) to the Registrar; and

12 **181 After subsection 601PB(2)**

13 Insert:

14 (2A) The Registrar must, on being notified under paragraph (2)(c), make
15 a record of the proposed deregistration.

16 **182 Paragraph 630(5)(c)**

17 Omit “ASIC”, substitute “the Registrar”.

18 **183 After subsection 630(5)**

19 Insert:

20 (5A) The lodgement must meet any requirements of the data standards.

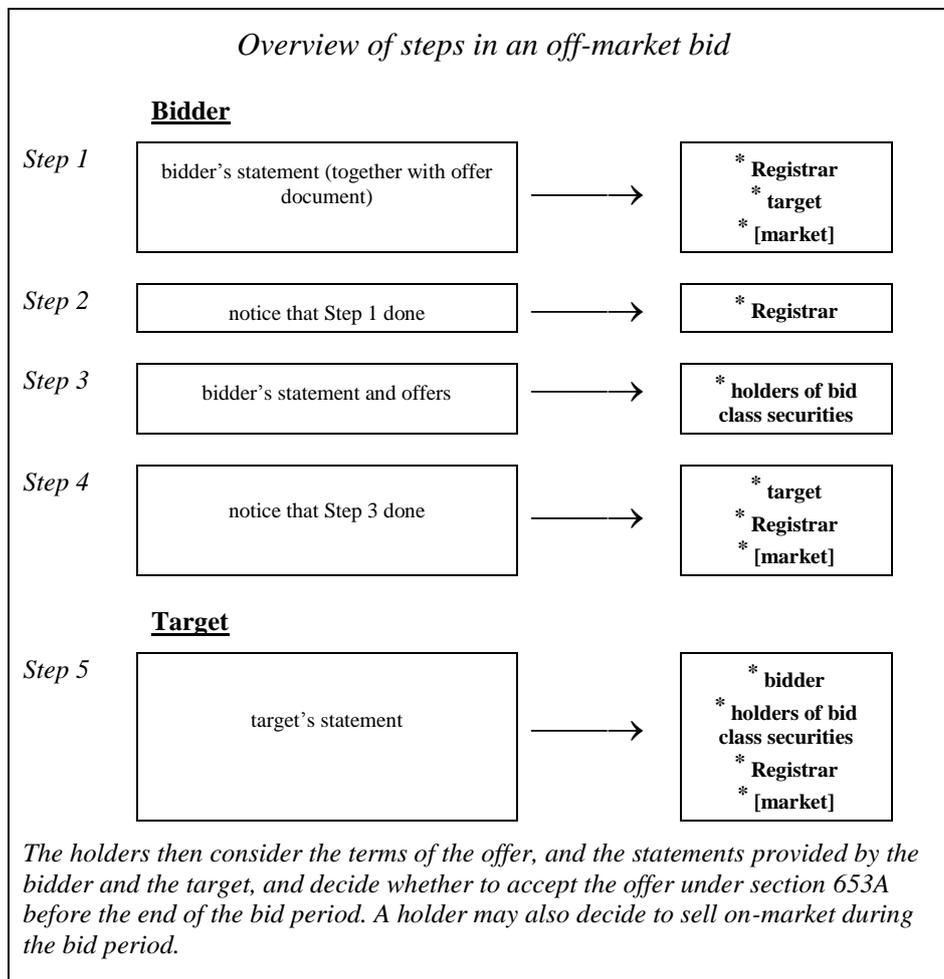
EXPOSURE DRAFT

1 **184 Section 632**

2 Repeal the section, substitute:

3 **632 Overview of steps in an off-market bid**

4 The following diagram gives an overview of the steps involved in
5 an off-market bid.
6



7 **185 Subsection 633(1) (table items 2, 4, 6, 9 and 13, column**
8 **headed "Steps")**

9 Omit "ASIC", substitute "the Registrar".

EXPOSURE DRAFT

1 **186 After subsection 633(1)**

2 Insert:

3 (1A) Lodgement of a copy of a document under table item 2 or 13 must
4 meet any requirements of the data standards.

5 (1B) A notice mentioned in table item 4 or 9 must meet any
6 requirements of the data standards.

7 **187 Paragraph 633(4)(b)**

8 Omit “ASIC”, substitute “the Registrar”.

9 **188 After subsection 633(4)**

10 Insert:

11 (4A) If the notice is lodged with the Registrar, it must meet any
12 requirements of the data standards.

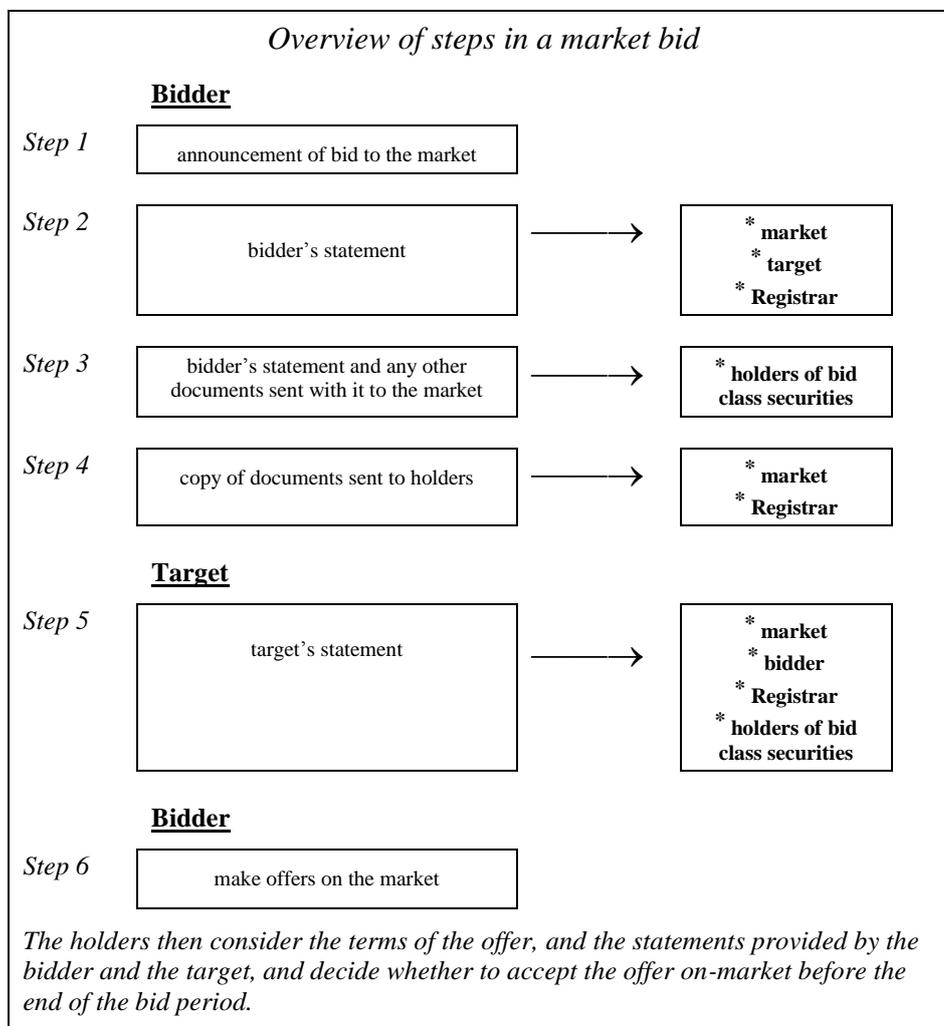
EXPOSURE DRAFT

1 **189 Section 634**

2 Repeal the section, substitute:

3 **634 Overview of steps in a market bid**

4 The following diagram gives an overview of the steps involved in a
5 market bid.
6



EXPOSURE DRAFT

1 **190 Subsection 635(1) (table items 5, 7 and 12, column**
2 **headed “Steps”)**

3 Omit “ASIC”, substitute “the Registrar”.

4 **191 At the end of subsection 635(1)**

5 Add:

6 Lodgement of a copy of a document mentioned in the table must
7 meet any requirements of the data standards.

8 **192 Paragraph 636(1)(e)**

9 Omit “ASIC” (first occurring), substitute “the Registrar”.

10 **193 Paragraph 636(1)(e)**

11 Omit “ASIC takes no”, substitute “neither ASIC nor the Registrar
12 takes”.

13 **194 After subsection 636(1)**

14 Insert:

15 (1A) Lodgement of the statement must meet any requirements of the
16 data standards.

17 **195 Paragraph 636(3)(c)**

18 Omit “ASIC”, substitute “the Registrar”.

19 **196 Subsections 637(1) and (2)**

20 Omit “ASIC”, substitute “the Registrar”.

21 **197 At the end of subsection 638(1)**

22 Add:

23 Lodgement of the statement must meet any requirements of the
24 data standards.

25 **198 Paragraph 638(5)(c)**

26 Omit “ASIC”, substitute “the Registrar”.

27 **199 Subsections 639(1) and (2)**

28 Omit “ASIC”, substitute “the Registrar”.

EXPOSURE DRAFT

1 **200 At the end of subparagraphs 643(1)(c)(i) and 644(1)(c)(i)**

2 Add “with the Registrar”.

3 **201 Paragraph 645(1)(c)**

4 Omit “ASIC”, substitute “the Registrar”.

5 **202 Subsections 645(2), (3) and (4)**

6 Omit “ASIC”, substitute “the Registrar”.

7 **203 Section 646**

8 Omit “ASIC”, substitute “the Registrar”.

9 **204 Paragraph 647(3)(a)**

10 Omit “ASIC”, substitute “the Registrar”.

11 **205 After paragraph 647(3)(c)**

12 Insert:

13 Lodgement of a supplementary statement must meet any
14 requirements of the data standards.

15 **206 Subsection 648G(9)**

16 Omit “ASIC”, substitute “the Registrar”.

17 **207 At the end of subsection 648G(9)**

18 Add:

19 The lodgement must meet any requirements of the data standards.

20 **208 Paragraphs 649C(1)(a) and (2)(b)**

21 Omit “ASIC”, substitute “the Registrar”.

22 **209 At the end of subsection 649C(2)**

23 Add:

24 The notice lodged with the Registrar must meet any requirements
25 of the data standards.

26 **210 Paragraphs 650C(2)(a) and 650D(1)(b)**

27 Omit “ASIC”, substitute “the Registrar”.

EXPOSURE DRAFT

211 After subsection 650D(1)

Insert:

(1A) Lodgement of the notice must meet any requirements of the data standards.

212 Paragraph 650D(4)(a)

Repeal the paragraph, substitute:

(a) the notice was lodged with the Registrar on a specified date;
and

213 Paragraph 650D(4)(b)

Omit “ASIC takes no”, substitute “neither ASIC nor the Registrar takes”.

214 Paragraph 650F(3)(b)

Omit “ASIC”, substitute “the Registrar”.

215 At the end of subsection 650F(3)

Add:

If the notice is lodged with the Registrar, the lodgement must meet any requirements of the data standards.

216 Section 654B

Omit “lodged”, substitute “given”.

217 Paragraph 654C(3)(b)

Omit “ASIC”, substitute “the Registrar”.

218 At the end of subsection 654C(3)

Add:

The lodgement must meet any requirements of the data standards.

219 Subsection 660B(3)

After “lodged”, insert “with the Registrar”.

220 Paragraph 661B(1)(a)

Omit “in the prescribed form”.

EXPOSURE DRAFT

-
- 1 **221 At the end of paragraph 661B(1)(a)**
2 Add:
3 (iii) meets any requirements of the data standards; and
- 4 **222 Paragraphs 661B(1)(b) and (d)**
5 Omit “ASIC”, substitute “the Registrar”.
- 6 **223 Subsection 661B(1) (note)**
7 Omit “ASIC”, substitute “the Registrar”.
- 8 **224 Subsection 661D(1)**
9 Omit “ASIC”, substitute “the Registrar”.
- 10 **225 Paragraph 662B(1)(a)**
11 Omit “in the prescribed form”.
- 12 **226 At the end of paragraph 662B(1)(a)**
13 Add:
14 (iv) meets any requirements of the data standards; and
- 15 **227 Paragraph 662B(1)(b)**
16 Omit “ASIC”, substitute “the Registrar”.
- 17 **228 Subparagraph 662B(1)(c)(i)**
18 Omit “ASIC”, substitute “the Registrar”.
- 19 **229 Paragraph 662B(1)(d)**
20 Omit “ASIC”, substitute “the Registrar”.
- 21 **230 Subsection 662B(1) (note)**
22 Omit “ASIC”, substitute “the Registrar”.
- 23 **231 Paragraph 662B(2)(b)**
24 Omit “ASIC”, substitute “the Registrar”.
- 25 **232 Paragraph 663B(1)(a)**
26 Omit “in the prescribed form”.
-

EXPOSURE DRAFT

-
- 1 **233 At the end of paragraph 663B(1)(a)**
2 Add:
3 (iv) meets any requirements of the data standards; and
- 4 **234 Paragraph 663B(1)(b)**
5 Omit “ASIC”, substitute “the Registrar”.
- 6 **235 Paragraph 663B(1)(d)**
7 Omit “ASIC”, substitute “the Registrar”.
- 8 **236 Subsection 663B(1) (note 2)**
9 Omit “ASIC”, substitute “the Registrar”.
- 10 **237 Paragraph 663B(2)(b)**
11 Omit “ASIC”, substitute “the Registrar”.
- 12 **238 Section 664AA**
13 Omit “ASIC”, substitute “the Registrar”.
- 14 **239 Subsection 664C(1)**
15 Omit “in the prescribed form”.
- 16 **240 At the end of subsection 664C(1)**
17 Add:
18 ; and (f) meets any requirements of the data standards.
- 19 **241 Paragraphs 664C(2)(a) and (b)**
20 Omit “ASIC”, substitute “the Registrar”.
- 21 **242 Subsection 664C(2) (note)**
22 Omit “ASIC”, substitute “the Registrar”.
- 23 **243 Subsections 664C(3) and 664E(2)**
24 Omit “ASIC”, substitute “the Registrar”.
- 25 **244 At the end of subsection 664E(2)**
26 Add:
-

EXPOSURE DRAFT

1 Lodgement of the copy must meet any requirements of the data
2 standards.

3 **245 Paragraph 664E(3)(b)**

4 Omit “ASIC”, substitute “the Registrar”.

5 **246 At the end of subsection 664E(3)**

6 Add:

7 Lodgement of the list with the Registrar must meet any
8 requirements of the data standards.

9 **247 Paragraph 665B(1)(a)**

10 Omit “in the prescribed form”.

11 **248 At the end of paragraph 665B(1)(a)**

12 Add:

13 (v) meets any requirements of the data standards; and

14 **249 Paragraphs 665B(1)(b), (c) and (e)**

15 Omit “ASIC”, substitute “the Registrar”.

16 **250 Subsection 665B(1) (note 2)**

17 Omit “ASIC”, substitute “the Registrar”.

18 **251 After subsection 665B(1)**

19 Insert:

20 *Lodgement requirements*

21 (1A) Lodgement of the notice with the Registrar must meet any
22 requirements of the data standards.

23 **252 Paragraph 665B(2)(b)**

24 Omit “ASIC”, substitute “the Registrar”.

25 **253 Paragraph 666A(2)(a)**

26 Omit “ASIC”, substitute “the Registrar”.

EXPOSURE DRAFT

1 **254 Subparagraphs 670A(1)(j)(i) and 670C(1)(c)(i)**

2 After “lodged”, insert “with the Registrar”.

3 **255 Subsection 670D(6)**

4 After “lodged”, insert “with the Registrar”.

5 **256 Paragraphs 672DA(2)(d) and (3)(d)**

6 Omit “ASIC”, substitute “the Registrar”.

7 **257 Subsection 672DA(4)**

8 Omit “ASIC”, substitute “the Registrar”.

9 **258 Subsection 672DA(4)**

10 After “this jurisdiction.”, insert “The notice must meet any requirements
11 of the data standards.”.

12 **259 Subsection 672DA(4) (note)**

13 Omit “ASIC” (wherever occurring), substitute “the Registrar”.

14 **260 Subparagraph 675(2)(c)(ii)**

15 Omit “ASIC”, substitute “the Registrar”.

16 **261 Subsection 675(2)**

17 Omit “ASIC containing the information.”, substitute “the Registrar
18 containing the information. The notice must meet any requirements of
19 the data standards.”.

20 **262 Section 705 (table item 2, column headed “Type”)**

21 Omit “ASIC”, substitute “the Registrar”.

22 **263 Section 705 (table item 3, column headed “Type”)**

23 Omit “ASIC” (second occurring), substitute “the Registrar”.

24 **264 Subparagraphs 708A(11)(b)(i) and (ii)**

25 Omit “ASIC”, substitute “the Registrar”.

26 **265 At the end of subsection 708A(11)**

27 Add:

EXPOSURE DRAFT

1 Lodgement of the prospectus must meet any requirements of the
2 data standards.

3 **266 Subsections 709(1) and (1B)**

4 Omit “material already lodged with ASIC”, substitute “material held by
5 the Registrar”.

6 **267 Subsection 711(7) (heading)**

7 Omit “ASIC”, substitute “*the Registrar*”.

8 **268 Paragraph 711(7)(a)**

9 Omit “ASIC”, substitute “the Registrar”.

10 **269 Paragraph 711(7)(b)**

11 Omit “ASIC takes no”, substitute “neither ASIC nor the Registrar
12 takes”.

13 **270 Subsection 712(1) (heading)**

14 After “ASIC”, insert “*or the Registrar*”.

15 **271 Subsection 712(1)**

16 Omit “has been lodged with ASIC”, substitute “is covered by
17 subsection (1A)”.

18 **272 After subsection 712(1)**

19 Insert:

20 (1A) This subsection covers a document that:

21 (a) is held by the Registrar (including a document that was
22 lodged with ASIC); and

23 (b) may be accessed by the public in accordance with the
24 disclosure framework.

25 **273 Subsection 712(4)**

26 Omit “ASIC”, substitute “the Registrar”.

27 **274 At the end of subsection 712(4)**

28 Add:

EXPOSURE DRAFT

1 However, the document must satisfy paragraph (1A)(b) and meet
2 any requirements of the data standards.

3 **275 Paragraph 713(3)(b)**

4 Repeal the paragraph, substitute:

5 (b) documents lodged with the Registrar in relation to the body
6 may be accessed by the public in accordance with the
7 disclosure framework.

8 **276 Paragraph 713(4)(a)**

9 Omit “ASIC” (wherever occurring), substitute “the Registrar”.

10 **277 Subsection 713B(5)**

11 Omit “ASIC” (wherever occurring), substitute “the Registrar”.

12 **278 At the end of subsection 713B(5)**

13 Add:

14 Lodgement of the offer-specific prospectus must meet any
15 requirements of the data standards.

16 **279 Subsection 713C(1)**

17 Omit “ASIC” (wherever occurring), substitute “the Registrar”.

18 **280 After subsection 713C(1)**

19 Insert:

20 (1A) Lodgement of the document must meet any requirements of the
21 data standards.

22 **281 Paragraphs 713C(4)(a) and 713D(1)(b)**

23 Omit “ASIC”, substitute “the Registrar”.

24 **282 After subsection 713D(1)**

25 Insert:

26 (1A) Lodgement of the document must meet any requirements of the
27 data standards.

28 **283 Subsection 713D(3)**

29 Omit “ASIC”, substitute “the Registrar”.

EXPOSURE DRAFT

1 **284 Section 713E (at the end of the heading)**

2 Add “or the Registrar”.

3 **285 Subsection 713E(1)**

4 Omit “document (the *lodged document*) that has been lodged with
5 ASIC”, substitute “lodged document”.

6 **286 Subsection 713E(4)**

7 Omit “ASIC”, substitute “the Registrar”.

8 **287 At the end of subsection 713E(4)**

9 Add:

10 However, the document must satisfy paragraph (b) of the definition
11 of *lodged document* (in subsection (6)).

12 **288 After subsection 713E(4)**

13 Insert:

14 (4A) A document lodged under subsection (4) must meet any
15 requirements of the data standards.

16 **289 At the end of section 713E**

17 Add:

18 (6) A *lodged document* is a document that:

19 (a) is held by the Registrar (including a document that was
20 lodged with ASIC); and

21 (b) may be accessed by the public in accordance with the
22 disclosure framework.

23 **290 Subparagraph 714(1)(e)(i)**

24 Omit “ASIC”, substitute “the Registrar”.

25 **291 Subparagraph 714(1)(e)(ii)**

26 Omit “ASIC takes no”, substitute “neither ASIC nor the Registrar
27 takes”.

28 **292 After subsection 714(1)**

29 Insert:

EXPOSURE DRAFT

1 (1A) Lodgement of the copy of the statement must meet any
2 requirements of the data standards.

3 **293 Subparagraph 715(1)(f)(i)**

4 Omit “ASIC”, substitute “the Registrar”.

5 **294 Subparagraph 715(1)(f)(ii)**

6 Omit “ASIC takes no”, substitute “neither ASIC nor the Registrar
7 takes”.

8 **295 After subsection 715(1)**

9 Insert:

10 (1A) Lodgement of the copy of the statement must meet any
11 requirements of the data standards.

12 **296 Subsections 716(1) and (1B)**

13 Omit “ASIC”, substitute “the Registrar”.

14 **297 Paragraph 716(2)(c)**

15 Omit “ASIC”, substitute “the Registrar”.

16 **298 Section 717 (table item 2, column headed “Action
17 required”)**

18 Omit “ASIC”, substitute “the Registrar”.

19 **299 Section 717 (table item 4, column headed “Action
20 required”)**

21 After “lodge”, insert “with the Registrar”.

22 **300 Subsection 718(1)**

23 Omit “ASIC”, substitute “the Registrar”.

24 **301 Subsection 718(1) (note 3)**

25 Repeal the note.

26 **302 Subparagraph 719(1)(c)(i)**

27 After “lodged”, insert “with the Registrar”.

EXPOSURE DRAFT

1 **303 Subsections 719(1) and (1A)**

2 Omit “ASIC”, substitute “the Registrar”.

3 **304 Paragraph 719(2)(c)**

4 Omit “ASIC”, substitute “the Registrar”.

5 **305 Subsection 719(2)**

6 Omit “ASIC” (last occurring), substitute “the Registrar”.

7 **306 Subsections 719(3) to (5)**

8 Omit “ASIC”, substitute “the Registrar”.

9 **307 Subparagraphs 719A(1)(c)(i) and (1)(d)(ii)**

10 Omit “ASIC”, substitute “the Registrar”.

11 **308 Paragraph 719A(1)(e)**

12 Omit “ASIC”, substitute “the Registrar”.

13 **309 Subsections 719A(2) and (3)**

14 Omit “ASIC”, substitute “the Registrar”.

15 **310 After subsection 719A(3)**

16 Insert:

17 (3A) Lodgement of a document under this section must meet any
18 requirements of the data standards.

19 **311 Paragraph 719A(4)(c)**

20 Omit “ASIC”, substitute “the Registrar”.

21 **312 Subsection 719A(4)**

22 Omit “ASIC” (last occurring), substitute “the Registrar”.

23 **313 Subsections 719A(5) to (9)**

24 Omit “ASIC”, substitute “the Registrar”.

25 **314 Section 720**

26 After “The lodgement”, insert “with the Registrar”.

EXPOSURE DRAFT

1 **315 Subparagraph 724(1)(d)(i)**

2 After “lodged”, insert “with the Registrar”.

3 **316 Subsection 727(1)**

4 Omit “ASIC”, substitute “the Registrar”.

5 **317 Subparagraphs 728(1)(c)(i) and 730(1)(c)(i)**

6 After “lodged”, insert “with the Registrar”.

7 **318 Subsection 733(4)**

8 After “lodged”, insert “with the Registrar”.

9 **319 Subsection 734(4)**

10 Omit “ASIC”, substitute “the Registrar”.

11 **320 Subparagraph 738ZG(9)(b)(i)**

12 After “lodged”, insert “with the Registrar”.

13 **321 Paragraphs 739(1)(a) and (b)**

14 Omit “ASIC”, substitute “the Registrar”.

15 **322 Subsection 792B(5) (note 1)**

16 Repeal the note.

17 **323 Subsection 792B(5) (note 2)**

18 Omit “Note 2:”, substitute “Note:”.

19 **324 At the end of section 792B (after the note)**

20 Add:

21 (6) However, to the extent that the licensee is required to give the
22 notice and information, to ASIC or the Registrar, under any other
23 provision of this Act, the licensee may comply with subsection (5)
24 by giving the notice and information under that other provision.

25 **325 Section 792C (heading)**

26 Omit “ASIC”.

27 **326 Subsections 792C(1) and (2)**

28 Omit “ASIC”, substitute “the Registrar”.

EXPOSURE DRAFT

327 Subsection 792C(3)

Repeal the subsection, substitute:

- (3) The licensee must, in giving the information, meet any requirements of the data standards.

328 Subsection 821B(4) (note 1)

Omit "Note 1:", substitute "Note:".

329 Subsection 821B(4) (note 2)

Repeal the note.

330 At the end of section 821B (after the note)

Add:

- (5) However, to the extent that the licensee is required to give the notice and information, to ASIC or the Registrar, under any other provision of this Act, the licensee may comply with subsection (4) by giving the notice and information under that other provision.

331 Paragraph 853A(c)

Repeal the paragraph, substitute:

- (c) the individual is included in the record the Registrar maintains under section 1274AA.

332 Subsection 904C(3) (note 1)

Repeal the note.

333 Subsection 904C(3) (note 2)

Omit "Note 2:", substitute "Note:".

334 At the end of section 904C (after the note)

Add:

- (4) However, to the extent that the licensee is required to give the notice and information, to ASIC or the Registrar, under any other provision of this Act, the licensee may comply with subsection (3) by giving the notice and information under that other provision.

335 Section 910A (definition of *recent advising history*)

Repeal the definition.

EXPOSURE DRAFT

-
- 1 **336 Section 910A (definition of *Register of Relevant***
2 ***Providers*)**
3 Repeal the definition.
- 4 **337 Section 916F (heading)**
5 Omit “ASIC”, substitute “**the Registrar**”.
- 6 **338 Subsection 916F(1)**
7 Omit “with ASIC a written notice (in accordance with subsection (2))”,
8 substitute “a notice with the Registrar”.
- 9 **339 After subsection 916F(1)**
10 Insert:
11 (IAAA) The notice must meet any requirements of the data standards.
- 12 **340 Subsection 916F(3)**
13 Omit “notify ASIC, by lodging a written notice,”, substitute “lodge a
14 notice with the Registrar”.
- 15 **341 At the end of subsection 916F(3) (before the note)**
16 Add:
17 The notice must meet any requirements of the data standards.
- 18 **342 Subsection 921J(2) (heading)**
19 Omit “ASIC”, substitute “*the Registrar*”.
- 20 **343 Paragraph 921J(2)(b)**
21 Omit “entered on the Register of Relevant Providers”.
- 22 **344 Division 9 of Part 7.6 (heading)**
23 Omit “**Registers**”, substitute “**Records**”.
- 24 **345 Subdivision A of Division 9 of Part 7.6**
25 Repeal the Subdivision, substitute:
-

EXPOSURE DRAFT

1 Subdivision A—Records generally

2 922A Records relating to financial services

3 (1) The Registrar must maintain records relating to financial services.

4 Note: The data standards may deal with how the Registrar is to maintain the
5 records.

6 (2) The regulations may prescribe the fees that a person must pay to
7 the Registrar in relation to access to those records.

8 Note: For access to these records, see the disclosure framework.

9 346 Subdivision B of Division 9 of Part 7.6 (heading)

10 Omit “the Register of Relevant Providers”, substitute “relevant
11 providers”.

12 347 Sections 922D to 922G

13 Repeal the sections, substitute:

14 922D Obligation to notify the Registrar about a person who becomes 15 a relevant provider

16 (1) A notice must be lodged under this section with the Registrar if a
17 person becomes a relevant provider.

18 Note: A financial services licensee required to lodge a notice under this
19 section may obtain information from a relevant provider under
20 section 922N.

21 (2) The notice must meet any requirements of the data standards.

22 348 Section 922H (heading)

23 Omit “ASIC”, substitute “the Registrar”.

24 349 Subsection 922H(1)

25 Omit “, in accordance with section 922L,”, substitute “with the
26 Registrar”.

27 350 Paragraph 922H(1)(a)

28 Omit “in the Register of Relevant Providers”, substitute “, under
29 section 922Q, in the records maintained under section 922A”.

EXPOSURE DRAFT

1 **351 Subsection 922H(2)**

2 Repeal the subsection, substitute:

3 (2) The notice must meet any requirements of the data standards.

4 **352 Subsections 922L(1) and (2)**

5 After “A notice”, insert “lodged with ASIC”.

6 **353 Section 922M (at the end of the heading)**

7 Add “or the Registrar”.

8 **354 Subsection 922M(2)**

9 Repeal the subsection.

10 **355 Subdivision C of Division 9 of Part 7.6 (heading)**

11 Repeal the heading, substitute:

12 **Subdivision C—Recording information about relevant**
13 **providers**

14 **356 Section 922Q**

15 Repeal the section, substitute:

16 **922Q Recording information about relevant providers**

17 The Registrar must enter, in the records maintained under
18 section 922A, details relating to each person who is or was a
19 relevant provider.

20 Note: The data standards may deal with which details are to be entered in
21 those records.

22 **357 Section 922R**

23 Omit “ASIC”, substitute “The Registrar”.

24 **358 Section 922S**

25 Repeal the section.

EXPOSURE DRAFT

1 **359 Subsection 990B(6)**

2 Omit “written notice with ASIC stating that the licensee has made the
3 appointment and specifying the name of the person or firm”, substitute
4 “notice with the Registrar. The notice must meet any requirements of
5 the data standards”.

6 **360 Paragraph 990L(3)(b)**

7 After “ASIC”, insert “or the Registrar”.

8 **361 Subparagraphs 1012DA(11)(b)(i) and (ii)**

9 Omit “ASIC”, substitute “the Registrar”.

10 **362 Subparagraphs 1013FA(2)(a)(i) and (ii)**

11 Omit “ASIC”, substitute “the Registrar”.

12 **363 Paragraph 1013G(a)**

13 Omit “ASIC”, substitute “the Registrar”.

14 **364 Paragraph 1013I(2)(b)**

15 Repeal the paragraph, substitute:

16 (b) the Registrar provides access to copies of documents lodged
17 with the Registrar in relation to the scheme.

18 **365 Subparagraphs 1013I(3)(a)(i) and (ii)**

19 Omit “ASIC”, substitute “the Registrar”.

20 **366 Section 1013J (heading)**

21 Omit “ASIC”, substitute “**the Registrar**”.

22 **367 Section 1013J**

23 Omit “with ASIC” (wherever occurring), substitute “with the
24 Registrar”.

25 **368 Paragraph 1013J(b)**

26 Omit “ASIC takes”, substitute “ASIC and the Registrar take”.

27 **369 Sections 1014J and 1014L**

28 Omit “ASIC”, substitute “the Registrar”.

EXPOSURE DRAFT

1 **370 Section 1015B (heading)**

2 Omit “ASIC”, substitute “**the Registrar**”.

3 **371 Subsections 1015B(1) and (2) and 1015D(1)**

4 Omit “ASIC”, substitute “the Registrar”.

5 **372 Subsection 1015D(2)**

6 Omit “ASIC, in electronic form,”, substitute “the Registrar”.

7 **373 After paragraph 1015D(2)(c)**

8 Insert:

9 The notice must meet any requirements of the data standards.

10 **374 Subparagraph 1015E(1)(b)(i)**

11 Omit “ASIC”, substitute “the Registrar”.

12 **375 Subsection 1015E(2)**

13 Omit “ASIC”, substitute “the Registrar”.

14 **376 Section 1016B (heading)**

15 Omit “ASIC”, substitute “**the Registrar**”.

16 **377 Paragraph 1016B(1)(a)**

17 Omit “ASIC”, substitute “the Registrar”.

18 **378 Subparagraphs 1018A(4)(c)(i) and (d)(i)**

19 Omit “ASIC”, substitute “the Registrar”.

20 **379 Subparagraphs 1021M(1)(a)(i) and (3)(a)(i)**

21 Omit “ASIC”, substitute “the Registrar”.

22 **380 Paragraph 1072E(10)(a)**

23 After “ASIC”, insert “or the Registrar”.

24 **381 Section 1100A (heading)**

25 After “ASIC”, insert “**or the Registrar**”.

26 **382 Subsections 1100A(1) and (2)**

27 After “information to ASIC”, insert “or the Registrar”.

EXPOSURE DRAFT

1 **383 Subsection 1100A(2)**

2 After “ASIC’s”, insert “or the Registrar’s”.

3 **384 Subsection 1200C(5)**

4 Omit “ASIC”, substitute “the Registrar”.

5 **385 Paragraph 1200C(5)(a)**

6 Omit “in the prescribed form (if any)”.

7 **386 At the end of subsection 1200C(5)**

8 Add:

9 ; and (c) any other documents or information that the data standards
10 require to be lodged.

11 The notice mentioned in paragraph (a), and the lodgement of that
12 notice and of any document or information mentioned in
13 paragraph (c), must meet any requirements of the data standards.

14 **387 Paragraph 1200C(6)(b)**

15 Omit “ASIC under section 1200D”, substitute “the Registrar under
16 paragraph (5)(b)”.

17 **388 Subsection 1200C(6)**

18 Omit “must have lodged with ASIC”, substitute “must have lodged with
19 the Registrar”.

20 **389 At the end of section 1200C**

21 Add:

22 (7) The lodgement under subsection (6) must meet any requirements
23 of the data standards.

24 **390 Paragraph 1200D(1)(b)**

25 Omit “(which, if regulations are in force for the purposes of
26 section 1200E, must comply with those regulations)”.

27 **391 Paragraph 1200D(1)(e)**

28 Omit “, in the prescribed form (if any),”.

29 **392 Paragraph 1200D(1)(g)**

30 Omit “, in the prescribed form (if any)”.

EXPOSURE DRAFT

-
- 1 **393 Paragraph 1200D(1)(h)**
2 Omit “offeror;”, substitute “offeror.”.
- 3 **394 Paragraph 1200D(1)(i)**
4 Repeal the paragraph.
- 5 **395 Subsections 1200D(2) and (3)**
6 After “a document or information”, insert “with the Registrar”.
- 7 **396 Section 1200E**
8 Repeal the section.
- 9 **397 Subsection 1200G(9)**
10 Omit “ASIC”, substitute “the Registrar”.
- 11 **398 At the end of subsection 1200G(9)**
12 Add “The lodgement must meet any requirements of the data
13 standards.”.
- 14 **399 Subsection 1200G(9) (heading to column headed “the
15 offeror must lodge with ASIC:”)**
16 Omit “ASIC”, substitute “the Registrar”.
- 17 **400 Subsection 1200G(9) (table items 5 to 7, column headed
18 “the offeror must lodge with ASIC”)**
19 Omit “in the prescribed form (if any)”.
- 20 **401 After subsection 1200G(9)**
21 Insert:
22 (9A) A notice mentioned in item 5, 6 or 7 of the table must meet any
23 requirements of the data standards.
- 24 **402 Paragraph 1200G(11)(b)**
25 Omit “ASIC”, substitute “the Registrar”.
- 26 **403 Subsection 1200H(2)**
27 Omit “ASIC written notice, in the prescribed form (if any),”, substitute
28 “the Registrar notice”.
-

EXPOSURE DRAFT

1 **404 At the end of subsection 1200H(2)**

2 Add:

3 The notice must meet any requirements of the data standards.

4 **405 Paragraph 1200H(3)(b)**

5 Omit “ASIC”, substitute “the Registrar”.

6 **406 Paragraph 1200L(1)(a)**

7 Omit “ASIC” (wherever occurring), substitute “the Registrar”.

8 **407 Paragraph 1200L(3)(a)**

9 Omit “ASIC”, substitute “the Registrar”.

10 **408 Subsection 1200N(1) (table item 1, column headed “If, in**
11 **relation to:”, paragraph (c))**

12 Omit “1200D(1)(i)”, substitute “1200C(5)(c)”.

13 **409 Paragraph 1200R(2)(b)**

14 Omit “ASIC”, substitute “the Registrar”.

15 **410 Section 1200S (heading)**

16 Omit “ASIC”, substitute “the Registrar”.

17 **411 Section 1200S**

18 Omit “ASIC written notice, in the prescribed form (if any),” substitute
19 “the Registrar notice”.

20 **412 Section 1200S**

21 After “of that intention.”, insert “The notice must meet any
22 requirements of the data standards.”.

23 **413 Section 1231B**

24 Repeal the section.

25 **414 Section 1231C**

26 Repeal the section.

27 **415 Subsection 1231D(1)**

28 Omit “ASIC” (wherever occurring), substitute “the Registrar”.

EXPOSURE DRAFT

-
- 1 **416 Subsection 1231D(2)**
2 Omit “ASIC” (first occurring), substitute “the Registrar”.
- 3 **417 Subsection 1231D(2)**
4 Omit “also”.
- 5 **418 Subsection 13-040(1)**
6 Omit “ASIC must also”, substitute “the Registrar must”.
- 7 **419 Paragraphs 13-040(2)(b) and (c)**
8 Omit “ASIC”, substitute “The Registrar”.
- 9 **420 Subsection 13-050(1)**
10 Omit “ASIC” (second occurring), substitute “the Registrar”.
- 11 **421 Subsection 13-050(2)**
12 Omit “ASIC”, substitute “The Registrar”.
- 13 **422 Subsection 13-050(4)**
14 Omit “ASIC”, substitute “The Registrar”.
- 15 **423 Section 13-060 (note)**
16 Omit “ASIC”, substitute “the Registrar”.
- 17 **424 Subsection 1274(1)**
18 Omit “must”, substitute “may”.
- 19 **425 Subparagraph 1274(2)(a)(iaa)**
20 Repeal the subparagraph.
- 21 **426 Subparagraph 1274(2)(a)(ia)**
22 Omit “(other than subsection 792C(1), section 1015B or
23 section 1015D)”.
- 24 **427 Subparagraph 1274(2)(a)(ii)**
25 Omit “1287 (notification of matters by registered auditors)”.
- 26 **428 Subparagraph 1274(2)(a)(ii)**
27 Omit “, 30-1 of Schedule 2 (annual liquidator returns)”.
-

EXPOSURE DRAFT

1 **429 Subparagraph 1274(2)(a)(iva)**

2 Repeal the subparagraph.

3 **430 Paragraph 1274(2)(b)**

4 Repeal the paragraph, substitute:

5 (b) require a certificate authorised by this Act to be given by
6 ASIC; or

7 **431 Subsections 1274(2AA) to (2D)**

8 Repeal the subsections.

9 **432 Subsection 1274(7A)**

10 After “ASIC”, insert “or the Registrar”.

11 **433 Subsection 1274(8)**

12 After “ASIC” (wherever occurring), insert “or the Registrar”.

13 **434 Paragraph 1274(8)(h)**

14 Omit all the words after “supplementary”, substitute:

15 document be lodged:

16 (i) with ASIC in the prescribed form; or

17 (ii) with the Registrar in accordance with any requirements
18 of the data standards.

19 **435 Subsection 1274(9)**

20 After “ASIC” (wherever occurring), insert “or the Registrar”.

21 **436 Paragraph 1274(11)(a)**

22 After “lodging”, insert “with ASIC or the Registrar”.

23 **437 Subsection 1274(11)**

24 After “ASIC” (wherever occurring), insert “or the Registrar”.

25 **438 After subsection 1274(15)**

26 Insert:

27 (15A) If information about a person is held by the Registrar, the Registrar
28 may at any time require that person to give the Registrar

EXPOSURE DRAFT

1 information about the person, being information of the kind held
2 by the Registrar.

3 **439 Subsection 1274(16)**

4 Omit “The person”, substitute “A person to whom subsection (15) or
5 (15A) applies”.

6 **440 At the end of subsection 1274(16)**

7 Add “or the Registrar, as the case requires”.

8 **441 Section 1274AA (heading)**

9 Omit “**Register**”, substitute “**Records**”.

10 **442 Subsection 1274AA(1)**

11 Omit “ASIC must keep a register”, substitute “The Registrar must
12 maintain records”.

13 **443 Subsection 1274AA(2)**

14 Omit “register must contain a copy”, substitute “Registrar must make a
15 record”.

16 **444 Subsection 1274AA(3)**

17 Repeal the subsection.

18 **445 Sections 1274A to 1275**

19 Repeal the sections.

20 **446 Section 1285**

21 Repeal the section, substitute:

22 **1285 Registrar must maintain records of auditors**

23 (1) The Registrar must maintain records of particulars of persons who
24 are registered as auditors under this Act, including persons whose
25 registration as an auditor has been suspended.

26 (2) Maintaining the records may involve removing a record relating to
27 a particular person.

28 **447 Paragraph 1287(1)(b)**

29 Repeal the paragraph, substitute:

EXPOSURE DRAFT

-
- 1 (b) a change occurs in any matter relating to a person who is a
2 registered company auditor;
3 (i) particulars of which have been recorded by the
4 Registrar; and
5 (iii) which is specified in the data standards as a matter to
6 which this paragraph applies;

7 **448 Subsection 1287(1)**

8 Omit “, in the prescribed form,”, substitute “with the Registrar”.

9 **449 After subsection 1287(1)**

10 Insert:

- 11 (2) The lodgement under subsection (1) must meet any requirements
12 of the data standards.

13 **450 Subsection 1287(4)**

14 After “lodge”, insert “with ASIC”.

15 **451 Paragraph 1289(5)(b)**

16 After “lodged”, insert “with ASIC or the Registrar”.

17 **452 At the end of paragraph 1296(1)(b)**

18 Add “with ASIC and the Registrar”.

19 **453 At the end of subsection 1296(1)**

20 Add “The lodgement with the Registrar must meet any requirements of
21 the data standards.”.

22 **454 Section 1299E**

23 Repeal the section, substitute:

24 **1299E Registrar must maintain records of authorised audit
25 companies**

- 26 (1) The Registrar must maintain records of particulars of companies
27 registered as authorised audit companies, including companies
28 whose registration as authorised audit companies has been
29 suspended.

EXPOSURE DRAFT

1 (2) Maintaining the records may involve removing a record relating to
2 a particular company.

3 **455 Subsection 1299F(3)**

4 Repeal the subsection, substitute:

5 (3) An authorised audit company must notify the Registrar if a change
6 occurs in any matter relating to the company:

7 (a) particulars of which have been recorded by the Registrar; and

8 (b) which is specified in the data standards as a matter to which
9 this subsection applies.

10 **456 Paragraph 1299F(4)(c)**

11 Omit “ASIC in the prescribed form”, substitute “the Registrar”.

12 **457 At the end of subsection 1299F(4)**

13 Add:

14 ; and (d) meet any requirements of the data standards.

15 **458 Paragraph 1299F(5)(a)**

16 Repeal the paragraph, substitute:

17 (a) details of a matter would be recorded by the Registrar in
18 relation to the company if it were to be registered; and

19 **459 Paragraph 1301(1)(d)**

20 After “lodged”, insert “with the Registrar”.

21 **460 At the end of paragraph 1301(1)(d)**

22 Add:

23 ; and (iii) meeting any requirements of the data standards.

24 **461 Paragraph 1301(4)(b)**

25 Repeal the paragraph, substitute:

26 (b) either:

27 (i) the corporation does not lodge with the Registrar notice
28 of the change within 14 days after the change; or

29 (ii) the notice does not meet the requirements (if any) of the
30 data standards;

EXPOSURE DRAFT

-
- 1 **462 Subsection 1304(1)**
2 After “lodge” (wherever occurring), insert “with ASIC or the
3 Registrar”.
- 4 **463 Subsection 1308(2)**
5 After “ASIC”, insert “or the Registrar”.
- 6 **464 Subsection 1308(4)**
7 After “lodged”, insert “with ASIC or the Registrar”.
- 8 **465 Paragraph 1308(6)(a)**
9 After “lodged”, insert “with ASIC or the Registrar”.
- 10 **466 Section 1310 (heading)**
11 After “ASIC”, insert “or the Registrar”.
- 12 **467 Section 1310**
13 After “hinder ASIC”, insert “or the Registrar”.
- 14 **468 At the end of subparagraph 1317AA(1)(b)(i)**
15 Add “or the Registrar”.
- 16 **469 After paragraph 1317AE(2)(a)**
17 Insert:
18 (ab) is made to the Registrar; or
- 19 **470 After paragraph 1317B(1)(b)**
20 Insert:
21 (ba) the Registrar; or
- 22 **471 Paragraphs 1317C(d) and (e)**
23 After “ASIC”, insert “or the Registrar”.
- 24 **472 Paragraph 1317C(k)**
25 After “documents etc.”, insert “with ASIC or the Registrar”.
- 26 **473 Subsection 1317D(1)**
27 After “ASIC”, insert “the Registrar”.
-

EXPOSURE DRAFT

-
- 1 **474 Paragraph 1317DAA(2)(b)**
2 After “lodged” (wherever occurring), insert “with the Registrar”.
- 3 **475 Paragraph 1317DAE(1)(j)**
4 Omit “ASIC”, substitute “the Registrar”.
- 5 **476 Paragraph 1317DAE(6)(b)**
6 Omit “ASIC”, substitute “the Registrar”.
- 7 **477 Subparagraph 1317DAE(7)(a)(ii)**
8 Omit “ASIC”, substitute “the Registrar”.
- 9 **478 Subparagraph 1317DAF(3)(b)(ii)**
10 Omit “ASIC”, substitute “the Registrar”.
- 11 **479 Subsection 1317DAG(2) (table item 3, column headed “If**
12 **the disclosing entity fails to:”)**
13 Omit “ASIC”, substitute “the Registrar”.
- 14 **480 Paragraph 1322(4)(b)**
15 After “ASIC”, insert “, or any information recorded by the Registrar.”.
- 16 **481 Subparagraph 1325B(1)(b)(iii)**
17 After “ASIC”, insert “or the Registrar (or both)”.
- 18 **482 Section 1344**
19 After “ASIC”, insert “or the Registrar”.
- 20 **483 At the end of subsection 1345A(1A)**
21 Add:
22 ; or (c) the Registrar, a member of the Registrar (if the Registrar is a
23 body with members) or a staff member of the Registrar.
- 24 **484 Subparagraph 1351(4)(a)(i)**
25 Omit “ASIC”, substitute “the Registrar”.
- 26 **485 At the end of paragraph 1354(1)(a)**
27 Add “with ASIC or the Registrar”.
-

EXPOSURE DRAFT

1 **486 Section 1355**

2 Omit “or ASIC, the Minister or ASIC”, substitute “, ASIC or the
3 Registrar, the Minister, ASIC or the Registrar”.

4 **487 Section 1360**

5 After “ASIC”, insert “or the Registrar”.

6 **488 After paragraph 1362(a)**

7 Insert:

8 (ab) imposes on the Registrar a duty to make information
9 available; or

10 **489 At the end of paragraph 1364(2)(m)**

11 Add “with ASIC”.

12 **490 Paragraph 1366(a)**

13 After “lodged”, insert “with ASIC”.

14 **491 Paragraph 1366(b)**

15 After “documents”, insert “lodged with ASIC”.

16 **492 Section 1367**

17 After “be lodged”, insert “with ASIC”.

18 **493 Subsection 1389(1)**

19 After “ASIC”, insert “or the Registrar”.

20 **494 Section 1392**

21 After “ASIC” (first occurring), insert “or the Registrar”.

22 **495 Section 1392**

23 Omit “or register it maintains”, substitute “, register or records ASIC or
24 the Registrar maintains”.

25 **496 Subsections 1465(3) and 1470(1)**

26 After “ASIC”, insert “or the Registrar”.

27 **497 Section 1501B (note)**

28 After “ASIC”, insert “or the Registrar”.

EXPOSURE DRAFT

1 **498 Section 1546A**

2 Before “In”, insert “(1)”.

3 **499 At the end of section 1546A**

4 Add:

5 (2) A reference in this Part to a provision of this Act as inserted by the
6 amending Act includes a reference to that provision as amended.

7 **500 Subsection 1546B(3) (note 2)**

8 Omit “ASIC”, substitute “The Registrar”.

9 **501 Section 1546J (heading)**

10 Omit “ASIC”, substitute “the Registrar”.

11 **502 Section 1546J (note)**

12 Omit “ASIC”, substitute “the Registrar”.

13 **503 Sections 1546P, 1546Q, 1546R and 1546W (heading)**

14 Omit “ASIC”, substitute “the Registrar”.

15 **504 Subsection 1546W(1)**

16 Omit “under this section, in the prescribed form,” substitute “with the
17 Registrar under this section”.

18 **505 Subsection 1546W(1)**

19 After “was lodged”, insert “with ASIC or the Registrar”.

20 **506 Subsection 1546W(2)**

21 Repeal the subsection, substitute:

22 (2) The notice must meet any requirements of the data standards.

23 **507 Section 1546X (heading)**

24 Omit “ASIC”, substitute “the Registrar”.

25 **508 Subsection 1546X(1)**

26 Omit “under this section, in the prescribed form,” substitute “with the
27 Registrar under this section”.

EXPOSURE DRAFT

1 **509 Subsection 1546X(2)**

2 Repeal the subsection, substitute:

3 (2) The notice must meet any requirements of the data standards.

4 **510 Section 1546Y (heading)**

5 Omit “ASIC”, substitute “**the Registrar**”.

6 **511 Subsection 1546Y(1)**

7 Omit “under this section, in the prescribed form,”, substitute “with the
8 Registrar under this section”.

9 **512 Subsection 1546Y(2)**

10 Repeal the subsection, substitute:

11 (2) The notice must meet any requirements of the data standards.

12 **513 Section 1546Z (heading)**

13 Omit “ASIC”, substitute “**the Registrar**”.

14 **514 Subsection 1546Z(1)**

15 Omit “under this section, in the prescribed form,”, substitute “with the
16 Registrar under this section”.

17 **515 Subsection 1546Z(2)**

18 Repeal the subsection, substitute:

19 (2) The notice must meet any requirements of the data standards.

20 **516 Subsection 1546Z(3)**

21 Omit “mentioned in subsection (2)”, substitute “the person begins
22 undertaking work and training in accordance with subsection 921B(4)”.

23 **517 Section 1551 (definition of *Register of Liquidators*)**

24 Repeal the definition.

25 **518 Section 1554**

26 Repeal the section.

EXPOSURE DRAFT

519 Subsection 1562(1)

Omit “with ASIC a notice, in the approved form, relating to the event.”, substitute “with the Registrar a notice relating to the event. The notice must meet any requirements of the data standards.”.

520 Section 1599 (heading)

After “ASIC”, insert “or the Registrar”.

521 In the appropriate position in Chapter 10

Insert:

Part 10.34—Transitional provisions relating to the Treasury Laws Amendment (Registries Modernisation and other Measures) Act 2018

1646 Definitions

In this Part:

Register of Liquidators means the Register of Liquidators formerly established and maintained under section 15-1 of Schedule 2 as in force immediately before the commencement of the *Treasury Laws Amendment (Registries Modernisation and Other Measures) Act 2018*.

1647 Application of amendments relating to registers under this Act

The amendments made by [tranche 1] items 360 to 771 and [tranche 2] 2 to 571 of Schedule 1 to the *Treasury Laws Amendment (Registries Modernisation and Other Measures) Act 2018* apply on and after the day the Minister appoints, under section @1250 of that Act:

- (a) a Commonwealth body to be the Registrar; or
- (b) if more than one such body is appointed—the body or bodies appointed under that section with functions and powers in connection with this Act.

EXPOSURE DRAFT

1648 Transitional provision relating to the Register of Liquidators

The Registrar must include in the record maintained under section 15-1 of Schedule 2 details contained in the Register of Liquidators immediately before the commencement of the *Treasury Laws Amendment (Registries Modernisation and Other Measures) Act 2018*.

522 Section 5-5 of Schedule 2 (definition of *Register of Liquidators*)

Repeal the definition.

523 Division 15 of Part 2 of Schedule 2

Repeal the Division, substitute:

Division 15—Registered liquidators

15-1 Recording registration etc. of liquidators

The Registrar must maintain a record relating to persons who are, or have been, registered liquidators.

Note: ASIC decides the registration of liquidators, and notifies the Registrar who should be registered as a liquidator, and whether registrations should be renewed or cancelled: see subsections 20-30(2), 20-75(2) and 40-35(3A).

524 Subsection 20-30(1) of Schedule 2 (at the end of the note)

Add “or the Registrar”.

525 Subsection 20-30(2) of Schedule 2

Repeal the subsection, substitute:

(2) ASIC registers the applicant by notifying the Registrar that the applicant should be registered as a liquidator.

526 Subsection 20-75(2) of Schedule 2

Repeal the subsection, substitute:

(2) ASIC renews the registration of the applicant by notifying the Registrar that the applicant’s registration should be renewed.

EXPOSURE DRAFT

1 **527 Subsection 30-1(1) of Schedule 2**

2 Omit “ASIC”, substitute “the Registrar”.

3 **528 After subsection 30-1(3) of Schedule 2**

4 Insert:

5 (3A) The lodgement of a return under subsection (1) must meet any
6 requirements of the data standards.

7 **529 Subsection 35-5(1) of Schedule 2**

8 Omit “ASIC”, substitute “the Registrar”.

9 **530 Section 40-1 of Schedule 2**

10 After “document, to ASIC”, insert “or the Registrar”.

11 **531 Section 40-1 of Schedule 2**

12 After “*given to ASIC*”, insert “*or the Registrar*”.

13 **532 Section 40-1 of Schedule 2**

14 After “to give ASIC”, insert “or the Registrar”.

15 **533 At the end of subsections 40-5(1) and (6) of Schedule 2**

16 Add “or the Registrar”.

17 **534 Subsection 40-10(1) of Schedule 2**

18 After “to ASIC” (wherever occurring), insert “or the Registrar”.

19 **535 Paragraph 40-10(2)(a) of Schedule 2**

20 After “ASIC”, insert “or the Registrar (as the case requires)”.

21 **536 Paragraph 40-15(6)(a) of Schedule 2**

22 After “ASIC”, insert “or the Registrar”.

23 **537 Subsection 40-15(7) of Schedule 2**

24 Omit “ASIC’s power”, substitute “any power of ASIC or the Registrar”.

25 **538 After subsection 40-35(3) of Schedule 2**

26 Insert:

EXPOSURE DRAFT

1 *ASIC must notify the Registrar*

2 (3A) ASIC must notify the Registrar of the decision.

3 **539 Subsection 40-35(4) (heading) of Schedule 2**

4 After “notice”, insert “etc.”.

5 **540 Subsection 40-35(4) of Schedule 2**

6 After “business days”, insert “, or to notify the Registrar under
7 subsection (3A),”.

8 **541 At the end of subsection 40-55(1) of Schedule 2**

9 Add:

10 ; (i) that the Registrar should publish specified information in
11 relation to the committee’s decision and the reasons for that
12 decision.

13 **542 Section 40-60 of Schedule 2**

14 Omit “and ASIC”, substitute “, ASIC and the Registrar”.

15 **543 Section 40-65 of Schedule 2**

16 Repeal the section, substitute:

17 **40-65 Giving effect to the committee’s decision**

18 ASIC and the Registrar (as applicable) must give effect to the
19 committee’s decision.

20 **544 Subparagraph 50-35(2)(b)(v) of Schedule 2**

21 Omit “or ASIC’s”, substitute “, ASIC’s or the Registrar’s”.

22 **545 Section 55-1 of Schedule 2**

23 After “ASIC”, insert “and the Registrar”.

24 **546 Section 70-1 of Schedule 2**

25 Omit “ASIC” (first and second occurring), substitute “the Registrar”.

26 **547 Subsection 70-5(2) of Schedule 2 (note)**

27 After “lodge”, insert “with the Registrar”.

EXPOSURE DRAFT

1 **548 Subsection 70-5(3) of Schedule 2**

2 After “lodge”, insert “with the Registrar”.

3 **549 Paragraph 70-5(4)(a) of Schedule 2**

4 Repeal the paragraph, substitute:

5 (a) must meet any requirements of the data standards; and

6 **550 Paragraph 70-5(4)(b) of Schedule 2**

7 Omit “ASIC”, substitute “the Registrar”.

8 **551 Subsection 70-5(6) of Schedule 2**

9 After “lodged”, insert “with the Registrar”.

10 **552 Subsection 70-6(2) of Schedule 2**

11 After “lodge”, insert “with the Registrar”.

12 **553 Paragraph 70-6(3)(a) of Schedule 2**

13 Repeal the paragraph, substitute:

14 (a) must meet any requirements of the data standards; and

15 **554 Paragraph 70-6(3)(b) of Schedule 2**

16 Omit “ASIC”, substitute “the Registrar”.

17 **555 Subsection 70-6(3) of Schedule 2 (note 2)**

18 Omit “ASIC”, substitute “The Registrar”.

19 **556 Subsection 70-6(4) of Schedule 2**

20 After “lodged”, insert “with the Registrar”.

21 **557 Subdivision F of Division 70 of Part 3 of Schedule 2 (at**
22 **the end of the heading)**

23 Add “or the Registrar”.

24 **558 Section 70-60 of Schedule 2 (at the end of the heading)**

25 Add “or the Registrar”.

26 **559 At the end of subsection 70-60(1) of Schedule 2**

27 Add “or the Registrar (or both)”.

EXPOSURE DRAFT

1 **560 Paragraphs 70-60(2)(a) and (b) of Schedule 2**

2 After “produced”, insert “to ASIC”.

3 **561 At the end of paragraph 70-60(2)(c) of Schedule 2**

4 Add “to ASIC”.

5 **562 After subsection 70-60(2) of Schedule 2**

6 Insert:

7 (2A) The giving of information, providing of reports or producing of
8 documents to the Registrar as provided for by the Insolvency
9 Practice Rules must meet any requirements of the data standards.

10 **563 Subsection 70-60(3) of Schedule 2 (note)**

11 After “ASIC”, insert “or the Registrar”.

12 **564 Subclause 4(2) of Schedule 4 (heading)**

13 After “ASIC”, insert “*or the Registrar*”.

14 **565 Subclause 4(2) of Schedule 4**

15 After “ASIC”, insert “or the Registrar”.

16 **566 Subclause 4(2) of Schedule 4**

17 After “lodged”, insert “with ASIC”.

18 **567 Subclause 27(2) of Schedule 4**

19 Omit “ASIC” (wherever occurring), substitute “the Registrar”.

20 **568 At the end of subclause 27(2) of Schedule 4**

21 Add:

22 The lodgement must meet any requirements of the data standards.

23 **569 Subparagraph 29(4)(a)(ii) of Schedule 4**

24 Omit “ASIC”, substitute “the Registrar”.

25 **570 Subsection 32(1) of Schedule 4**

26 Omit “ASIC must register the disclosure statement if”, substitute “The
27 Registrar must register the disclosure statement if ASIC notifies the
28 Registrar that ASIC is”.

EXPOSURE DRAFT

1 **571 Paragraph 36(2)(d) of Schedule 4**

2 Omit “ASIC”, substitute “the Registrar”.

3 **572 Subparagraph 36(2)(m)(i) of Schedule 4**

4 Omit “ASIC”, substitute “the Registrar”.

5 **573 Subparagraph 36(2)(m)(iii) of Schedule 4**

6 Omit “ASIC takes no”, substitute “neither ASIC nor the Registrar
7 takes”.

EXPOSURE DRAFT

1 **Part 3—Amendments to Fees Acts (to be introduced**
2 **as separate Bills)**

3 ***Business Names Registration (Fees) Act 2011***

4 **574 Subsection 3(1) (paragraph (c) of the definition of**
5 ***chargeable matter*)**

6 Repeal the paragraph, substitute:

- 7 (c) an application by an entity for information held in the record
8 maintained under section 34A of the *Business Names*
9 *Registration Act 2011*.

10 ***Corporations (Fees) Act 2001***

11 **575 Subsection 4(1) (paragraph (a) of the definition of**
12 ***chargeable matter*)**

13 After “lodgement”, insert “with ASIC or the Registrar”.

14 **576 Subsection 4(1) (after paragraph (c) of the definition of**
15 ***chargeable matter*)**

16 Insert:

- 17 (ca) the inspection or search of a record maintained or
18 information held by the Registrar under that Act;

19 **577 Subsection 4(1) (paragraph (d) of the definition of**
20 ***chargeable matter*)**

21 After “ASIC”, insert “or the Registrar”.

22 **578 Subsection 4(1) (after paragraph (e) of the definition of**
23 ***chargeable matter*)**

24 Insert:

- 25 (ea) the production by the Registrar, under a subpoena, of a
26 record maintained or information held by the Registrar for
27 the purposes of that Act;

28 **579 Subsection 4(1) (paragraph (f) of the definition of**
29 ***chargeable matter*)**

30 Omit “or ASIC”, substitute “, ASIC or the Registrar”.

EXPOSURE DRAFT

1 **580 Subsection 4(1) (paragraph (g) of the definition of**
2 ***chargeable matter***

3 Omit “or ASIC”, substitute “ASIC or the Registrar”.

4 **581 Paragraph 7(1)(c)**

5 After “paragraph (c)”, insert “or (ca)”.

6 **582 Paragraph 7(1)(e)**

7 After “paragraph (e)”, insert “or (ea)”.

8 **583 At the end of subparagraph 7(1)(e)(ii)**

9 Add “or the Registrar”.

10 ***National Consumer Credit Protection (Fees) Act 2009***

11 **584 Subsection 4(1) (paragraph (b) of the definition of**
12 ***chargeable matter***

13 After “maintained”, insert “by ASIC”.

14 **585 Subsection 4(1) (after paragraph (b) of the definition of**
15 ***chargeable matter***

16 Insert:

17 (ba) the inclusion of information in a record maintained by the
18 Registrar under either of those Acts;

19 **586 Subsection 4(1) (after paragraph (c) of the definition of**
20 ***chargeable matter***

21 Insert:

22 (ca) the inspection or search of a record maintained or
23 information held by the Registrar under either of those Acts;

24 **587 Subsection 4(1) (paragraph (d) of the definition of**
25 ***chargeable matter***

26 After “ASIC”, insert “or the Registrar”.

27 **588 Subsection 4(1) (after paragraph (e) of the definition of**
28 ***chargeable matter***

29 Insert:

EXPOSURE DRAFT

1 (ea) the production by the Registrar, under a subpoena, of a
2 record maintained or information held by the Registrar for
3 the purposes of either of those Acts;

4 **589 Subsection 4(1) (paragraph (f) of the definition of**
5 ***chargeable matter***)

6 Omit “or ASIC”, substitute “, ASIC or the Registrar”.

7 **590 Subsection 4(1) (paragraph (g) of the definition of**
8 ***chargeable matter***)

9 Omit “or ASIC”, substitute “ASIC or the Registrar”.

10 **591 After paragraph 9(b)**

11 Insert:

12 (ba) for a chargeable matter referred to in paragraph (ba) of that
13 definition:

14 (i) person liable—the person who requests inclusion of the
15 information in the record, or if there is no request, the
16 person who provides the information; and

17 (ii) time liability incurred—when the request for inclusion
18 of the information in the record is made, or if there is no
19 request, when the information is provided;

20 **592 Paragraph 9(c)**

21 After “paragraph (c)”, insert “or (ca)”.

22 **593 Paragraph 9(e)**

23 After “paragraph (e)”, insert “or (ea)”.

24 **594 At the end of subparagraph 9(e)(ii)**

25 Add “or the Registrar”.